IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 30 OF 2006

Jagdish Ganesh Patel and Ors. ... Petitioners

Versus

The State of Mah.and Ors. ... Respondents

None for the Petitioner.

Mr. R.M. Sawant, Government Pleader for R. No. 1.

Mr. G.D. Utangale for R. No. 2.

Mr. A.C. Singh i/by D.R. Shah for R. Nos. 6 and 7.

CORAM : F.I. REBELLO &
A.V. MOHTA, JJ.
DATED : MARCH 07, 2006

P.C.

. When the matter is called out, none present for the Petitioner.

. It is the case of the Respondent Nos. 6 and 7 that earlier some other persons in respect of the very same scheme had filed a petition before this court being Petition No. 1620 of 2002. The main challenge in that petition was that 70% of the hutment dwellers had given their consent to the scheme. The Petition was disposed of by order

dated 30.8.2002 holding that 70% of the hutment dwellers had given their sanction.

. By the present petition, what the Petitioners are seeking is to furnish the sanctioned lay out plan to the Petitioners and **user thereof. Once there be the society, the construction would be in terms of the sanctioned obtained by the society for development. The counsel for Respondent Nos. 6 and** 7 points out that the rehabilitation building is ready and if Petitioner enters into an agreement, they can be put in possession, in the building in which they are entitled to. Photographs are produced which show that building is completed including interiors and are taken on record. Considering the above, we do not think this, to be a fit case, for this court to exercise its extra ordinary jurisdiction. Hence, petition rejected. Rule discharged.

(F.I. REBELLO,J.)

(A.V. MOHTA,J.)